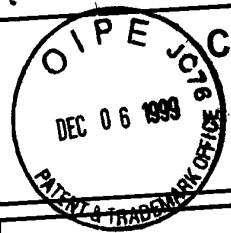


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CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

TECH CENTER 1600/2900

Submit an original, and a duplicate for fee processing.

(Only for Continuation or Divisional applications under 37 C.F.R. § 1.53(d))

CHECK BOX, if applicable:
☐ DUPLICATE

Attorney Docket No. of Prior Application	35853.1
First Named Inventor	Henrik Stender
Examiner Name	J. Fredman
Group/Art Unit	1643
Express Mail Label No.	EM047498209US

Address to:
Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

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JAN 05 2000

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This is a request for a ☐ continuation or ☒ divisional application under 37 C.F.R. § 1.53(d), (continued prosecution application (CPA)) of prior application number 08/943,777, filed on October 3, 1997, entitled Novel Probes for the Detection of Mycobacteria

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NOTES

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FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 C.F.R. § 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 C.F.R. § 1.53(d), but must be filed under 37 C.F.R. § 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 C.F.R. § 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 C.F.R. § 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 C.F.R. § 1.78(a).

- ☐ Enter the unentered amendment previously filed on _____ under 37 C.F.R. § 1.116 in the prior nonprovisional application.
- ☒ A preliminary amendment is enclosed.
- This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53 (d)(4)
 - ☐ **DELETE** the following inventor(s) named in the prior nonprovisional application:
.....
 - ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
- ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
- Information Disclosure Statement (IDS) is enclosed:
 - ☐ PTO-1449
 - ☐ Copies of IDS Citations

12/08/1999 DVUONG 00000097 08943777
01 FC:131 760.00 OP

Express Mail mailing label number EM047498209US [Page 1 of 2]
I hereby certify that this transmittal letter and the other papers and fees identified in this transmittal letter as being transmitted herewith are being deposited with the United States Postal Service "Express Mail Post Office to Address" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to the Hon. Assistant Commissioner for Patents, Washington, D.C. 20231.

DEC 06 1999

PTO/SB/29 (8/98)
Approved for use through 09/30/2000. OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c) or (j))	10	-20* =	0	x \$ _____ =	\$ 0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b) or (i))	2	-3** =	0	x \$ _____ =	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))				+ \$ _____ =	0
				BASIC FEE (37 C.F.R. § 1.16)	\$ 760.00
				Total of above Calculations =	\$ 760.00
Reduction by 50% for filing by small entity (Note 37 C.F.R. §§ 1.9, 1.27 & 1.28).					
				TOTAL =	\$ 760.00

* Reissue claims in excess of 20 and over original patent.
** Reissue independent claims over original patent.

6. Small entity status:

- a. ☐ A small entity statement is enclosed, if (b) and (c) do not apply.
b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
c. ☐ Is no longer claimed.

7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. _____:

- a. ☒ Fees required under 37 C.F.R. § 1.16.
b. ☐ Fees required under 37 C.F.R. § 1.17.
c. ☐ Fees required under 37 C.F.R. § 1.18.
8. ☒ A check in the amount of \$760.00 is enclosed.
9. ☐ New Attorney Docket Number, if desired _____
[Prior application Attorney Docket Number will carryover to this CPA unless a new Attorney Docket Number has been provided herein.]

- 10.a. ☐ Receipt for Facsimile Transmitted CPA (PTO/SB/29A)
b. ☒ Return Receipt Postcard (Should be specifically itemized, See MPEP 503)

11. ☐ Other: _____**NOTE:**

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

12. NEW CORRESPONDENCE ADDRESS

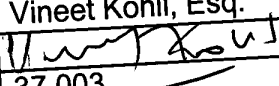
☐ Customer Number or Bar Code Label

(Insert Customer No. or Attach bar code label here)

or ☐ New correspondence address below

Name	Vineet Kohli, Esq.				
Address	GRAHAM & JAMES, LLP				
	885 Third Avenue - 21 ST Floor				
City	New York	State	New York	Zip Code	10022
County		Telephone	212-848-1065	Fax	212-688-2449

13. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Vineet Kohli, Esq.
Signature	
Registration No. (Attorney/Agent)	37,003
Date	December 6, 1999